

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

)
DANIEL HOUDE,)
Plaintiff)
)
v.) C.A. NO. 05-40075FDS
)
ROBERT TURGEON, STEPHEN)
GUNNERSON, KEVIN JOHANSON,)
MATTHEW D'ANDREA, BRIAN)
HALLORAN, THOMAS DUFFY, SEAN)
MCCANN and CITY OF WORCESTER)
Defendants)
)

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Plaintiff has filed suit against the City of Worcester and seven of its police officers alleging that the Defendants violated his civil rights during the course of an arrest which took place on May 20, 2001. Defendants Robert Turgeon, Stephen Gunnerson, Kevin Johanson, Matthew D'Andrea, Brian Halloran, Thomas Duffy, Sean McCann, and the City of Worcester ("the Defendants") now move this Court, pursuant to Fed. R. Civ. P. Rule 56(b), to enter summary judgment in their favor, dismissing all counts of Plaintiff's Complaint. As grounds for this Motion, Defendants state that there is no genuine issue as to any material fact with relation to the claims against Defendants, and further state that the Defendants are entitled to judgment as a matter of law. In further support of this Motion, Defendants rely on the accompanying Memorandum of Law in Support of Defendants' Motion for Summary Judgment and the exhibits attached thereto.

Respectfully submitted,

Robert Turgeon, Stephen Gunnerson,
Kevin Johanson, Matthew D'Andrea,
Brian Halloran, Thomas Duffy, Sean
McCann and City of Worcester,

By their attorneys,

David M. Moore
City Solicitor

/s/ Janet J. McGuiggan
Assistant City Solicitor
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CERTIFICATE OF SERVICE

I, Janet J. McGuiggan, hereby certify that, on this 12th day of February, 2007, the within document was filed through the ECF electronic filing system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Janet J. McGuiggan
Janet J. McGuiggan